



**City of Annapolis**  
Board of Port Wardens  
Department of Planning & Zoning  
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## **Board of Port Wardens**

### **MINUTES**

**Tuesday, February 28, 2017  
City Council Chamber  
7:30 p.m.**

- A. Call to Order – Gene Godley, Chair: 7:31 PM**
- B. Roll Call: Gene Godley, Randall Adams, Willie Sampson, and Eric Pickett, Jr.(Observing)**  
**Staff: Kevin Scott, Beth Mauk, Pete Gutwald**
- C. Approval of Agenda: APPROVED**
- D. Administrative: Chair Godley introduced new board member Eric Pickett, Jr., and announced that he would only be observing during the cases tonight.**
  - 1. Minutes from January 24, 2017: APPROVED**
  - 2. Findings of Fact, January 24, 2017:**
    - PORT2016-016 – King James Landing Association, Inc., c/o Stephen Ulmer, President, 938 King James Landing Road APPROVED**
    - PORT2016-025 – Susan Moore, 14 Spa View Circle APPROVED**
    - PORT2016-027 – Chesapeake Bay Associates, c/o Eric Bradley, 105 Eastern Avenue APPROVED**
  - 3. Chair Godley administered the oath en masse to all persons intending to testify at these hearings.**
- E. Old Business**
  - 1. PORT2016-014 – Richard Gordon Rathman, 523 Horn Point Drive: To install living shoreline with stone sill. This application is for the Applicant's part of a Living Shoreline Project that involves two adjacent properties.**  
**PORT2016-015 – Terence L. Smith, 525 Horn Point Drive: To install a living shoreline with stone sill and replenishment of existing jetty, sill, and revetment. This application is for the Applicant's part of a Living Shoreline Project that involves two adjacent properties. – Port Wardens agreed to handle these two cases together. The cases continued from the January 24, 2017 hearing, which was previously continued from the September 27, 2016 hearing. The applicants for both case were represented by their consultant John Flood, of Flood Bros. Marine Construction, Inc. The site plans were revised from the original submission in order to reduce the elevation of the stone sill and to pull it closer to the shore due to feedback that the applicant received from their meetings with MDE and US Army Corps. No public testimony was provided. Both cases were APPROVED AS AMENDED 3 - 0**
  - 2. PORT2016-026 – Andrew & Jill Petit, 519 Horn Point Drive: To install a 2nd boat lift on existing pier using existing pilings. Applicant represented by Andrew Petit, property owner. Opposing testimony was provided by Benjamin Wechsler, an attorney representing Richard Rathman, adjacent property owner. Mr. Wechsler introduced**



a number of exhibits and provided testimony by various witnesses including: John Flood, a marine contractor; Richard Rathman, adjacent property owner; Brian Dennis, a surveyor; and John Dowling, a surveyor. There was much discussion about the location of the lateral lines. The opponent's chief complaint was that the existing pier was not constructed in accordance with the approved permits, and therefore the currently proposed new lift should not be allowed to be added to the nonconforming pier. Prior to the board's deliberations, the Port Wardens voted to postpone the case until March 28, 2017, and requested counsel from the City Attorney as to the Port Warden's authority to rule on the legality of the existing pier. CONTINUED UNTIL MARCH 28, 2017

**F. New Business**

1. **PORT2017-001 – John Galt Properties, LLC, 980 Awald Road: Reconfigure and expand the entire fueling operation at the existing fuel dock. Represented by Ed Hartman, property owner. Testimony was provided by Ald. Ross Arnett, who indicated his support for the project as long as it meets Code. Testimony was also heard from Beth Mauk, Harbormaster, who said that she believed that the project would not interfere with safe navigation. There was also discussion by the board members regarding the fuel dock setback regulations stated in Section 15.18.090 in relation to the proposed fuel pumps to be located along the sides of the reconfigured fuel dock. No other public testimony was provided. The Port Wardens voted 3 – 0 to APPROVE the application, subject to the City Attorney's concurrence that the project complies with the fuel dock setback requirements.**
2. **PORT2017-002 – 409 Chester Avenue Holdings, LLC c/o Marcellous Butler, 409 Chester Avenue: Remove pilings and finger piers and construct 4 - 3' x 40', 6 - 3' x 41.5', 2 - 3' x 35', 1 -2' x 15' and 3 -2' x 30' finger piers; Install 19 mooring poles, 10 boat lift piles and 6 boat lifts; Also, dredge 3492 SF of area and 2950 SF of area to a depth of - 6.0' at MLW. Total of spoils is 449 CY. Represented by Marcellous Butler, property owner. Ald. Ross Arnett spoke in favor of the project as long as it meets Code. No other public testimony was provided. APPROVED 3 - 0**
3. **PORT2017-003 – Hugh and Helen Mealy, 34 Williams Drive: Replace existing pier, mooring piling, and boat lift pilings in-kind. 6' wide x 56' long pier with 8.5' x 25' angular platform, 1 mooring piling and 2 boat lift pilings. Represented by Lenny Anderson, of Anderson Marine Construction, Inc., on behalf of the applicant. No public testimony was provided. APPROVED 3 - 0**
4. **PORT2017-004 – Lars Henrikson, 129 Lafayette Avenue: Replace existing pier in same location; Relocate 6 mooring pilings; Install 2 - 20,000 lb boat lifts and 2 - 2,800 lb mini-mag lifts. Mooring/boat lift pilings will be installed further away from lateral and harborlines than they current exist. Represented by Lenny Anderson, of Anderson Marine Construction, Inc., on behalf of the applicant. No public testimony was provided. Applicant requested that the case be CONTINUED UNTIL MARCH 28, 2017**

**G. Miscellaneous: NONE**

**H. Adjournment: 9:54 PM**

Submitted by:

Kevin Scott, P&Z  
Liaison to the Board of Port Wardens